

1897-014 Chancery Causes: W. E. Cabell, recu. vs. W. G. Colson + wife to
Lee Co.

People's Bank], Wheeler, Kesterson

CA-Debt +

T-Property

-Deed

To The Hon. W. T. Miller, Judge of the Circuit Court
of Lee County, Virginia:

Your orator, W. E. Cabell, receiver of the Peoples' Bank, a corporation organized and existing under the laws of the state of Kentucky, humbly complaining, shows unto Your Honor that at the November term 1896 of the circuit court of Lee County he obtained a judgement against one W. G. Colson for the sum of \$358.10 with interest on \$350.00 part thereof from October 22nd 1892 and \$11.70, costs; a certified ^{copy} ~~judgment~~ of which judgement is herewith filed, marked "Exhibit 1". ^a ~~The~~ fi. fa. was issued on this judgement and a return of "No Property Found" was made. A certified copy of this fi. fa. is herewith filed, marked "Exhibit No. 2".

This judgement was obtained in a suit brought upon a judgement previously rendered in the circuit court for the county of Bell and state of Kentucky. Your orator files a certified copy of the declaration in the suit at common law in the circuit court of Lee County, marked "Exhibit No. 3", and a certified ~~copy~~ transcript of the record from the circuit court of Bell County, Kentucky, in which the said foreign ^{Judgment} ~~attachment~~ was obtained, marked "Exhibit No. 4". From an inspection of these latter exhibits, Your Honor will see that the foundation of this debt was a subscription made by the said W.G. Colson to the capital stock of the bank for which your orator afterwards became receiver to the amount of \$500.00 made on the day of 1890, on which subscription \$150.00 was paid and the judgement ~~xxxxthe~~ of \$350.00 was for the remainder of said \$500.00 with its interest.

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The judgement thus obtained at the last November term of the circuit court of Lee County became and remains a lien on all the real estate in the county of Lee of or to which the said Colson is possessed or entitled. Your orator charges that said Colson is so possessed or entitled to two tracts of land in said county, one of ~~4~~480 acres, and the other of 70 acres, located in the lower end of Lee County, on the waters of Station Creek. The first of said tracts of land was conveyed to said Colson by D.K.Young and wife by deed dated July 1st 1890, which deed was in consideration of \$5,000~~000~~, cash in hand paid, and other valuable consideration. This deed conveys a certain part of said land to the said W.G.Colson in fee simple absolute and a life estate in the remainder thereof, reversion being granted, to James M. Colson, Nora Colson, Verda Colson, and Lella Colson, in fant children of said W.G.Colson. It does not appear from the face of said deed just what proportion of said tract of land vested in the said Colson in fee simple. Your orator, however, states and charges that the ~~real~~ transaction was that the said Colson for himself paid to the ^{grantors}~~creditors~~ the sum of \$ 537⁵⁰~~00~~ and his father-in-law, one J.M.Wheeler, the father of the first wife of the said W.G.Colson, who was dead at the date of said deed, had previously paid to the said ^{grantors}~~creditors~~ therein the sum of \$ 4000.00, intending the same to be a gift or advancement to his daughter, but ~~was~~ as she died before the deed was made, the deed for her interest was made to her in fant children for the reversion and to her said husband for his life estate, following the law of ~~xxx~~ curtesy. Your orator is, therefore, informed, believes, and charges that the interest of the said Colson in said land is an absolute interest

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to the extent of ^{about 5/9. the} and a life interest in the remainder. This deed of conveyance has never been put to record and your orator is, therefore, unable to file a certified copy thereof and cannot obtain possession of the original. ^(which is in the possession of said Colson) He files herewith, however, an exact copy which has been compared with the original and exemplified, marked "Exhibit No. 5".

Your orator would now show that the said Colson by deed dated September 13th 1892 conveyed to his present wife, C. M. Colson, all of the real estate owned by him, inter alia, in the county of Lee. This deed shows on its face that it was promptly acknowledged, but was not placed ~~of~~ record in Lee County until October '94 and was there recorded in D. B. 31, page 10, a certified copy of which is herewith filed, marked "Exhibit No. 6". Your orator is informed, believes, and therefore charges that said deed was without consideration deemed valuable in Law and is fraudulent and void as to your orator. The debt due the bank for which your orator is receiver was created in 1890. Your orator is advised that it is not material whether or not the whole of said debt was an absolute liability from the time it was subscribed, or whether the sum of \$350.00 remained as a contingent liability until it was called for by the board of directors of the Peoples' Bank. He is advised that in either event the wife of said W.G. Colson will ^{not} be allowed in law to retain the said Colson's ~~part~~ interest in said land free of the judgement of your orator, unless she paid therefor a valuable consideration.

The only other liens or claims affecting this land are three judgements as follows:- J.L.D. 3, page 31; judgement, obtained November term '93 of the Lee circuit court, in favor

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of J.M.Wheeler for \$14.32, a certified abstract of which is herewith filed, marked "Exhibit No. 8";

J.L.D. 3, page 104; judgement, obtained November term '95 in favor of Kesterson & Wheeler; *Advers. &c* \$189.50, with interest on \$18.75 from May 1st '91 and on \$171.00 from October 26th '91, and \$7.96 costs. ~~The said firm of Kesterson & Wheeler is~~ composed of ^RC.R.Kesterson ~~& J.M.Wheeler~~ and J.M.Wheeler, citizens of Lee County;

J.L.D 3, page 126; judgement, rendered at the June term '96 of Lee circuit court in favor of said C.R.Kerterson and J. M.Wheeler for \$53.00 with interest from December 31st '92, and costs \$10.65, a certified copy of which last two named judgements are herewith filed, marked respectively "Exhibit No. 9"; and #Exhibit No. 10".

Your orator prays that all exhibits filed herewith may be read as a part of this bill. Your orator alleges that all the said judgements in favor of said Wheeler & Kesterson have been paid off and discharged by said Colson and that the same are not now liens upon said ~~Wheeler & Kesterson~~ lands and your orator calls upon said Wheeler & Kesterson to answer this bill on oath and state whether or not any of said sums remain unpaid, and if so, how much. There are no other liens affecting this property. It is a large and valuable farm and your orator supposes it will rent for enough within less than five years to pay off his judgement.

Wherefore, being without remedy save in a court of equity, the prayer of your orator is that W.G.Colson, *C.M.Colson, his wife, James M.Colson,* Nora Colson, Verda Colson, Lela Colson, J.M.Wheeler, and C.R.Kesterson be made parties defendant to this bill and be required to answer the

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same, but answer on oath as to said W.G. Colson ^{and C.M. Colson his wife} is expressly waived; and that a guardian ad litem be appointed to defend the interests of the said four infant children; that at a hearing hereof Your Honor will decree that the deed from W.G. Colson ~~xx~~ to his wife, C.M. Colson, dated September 13th 1892, be rescinded and set aside in so far as the same may affect the judgement sued on by your orator; and that the lien of your orator's judgement be enforced against the interest of the said Colson in said land; and for such other, further, and general relief as to equity may seem meet and the nature of his case may require your orator will ever pray &c.

C. T. Dunsen
L. P. Hyatt
R. T. Irvine } p.p.

W. E. Cabell, Receiver,

By Counsel.

Pleffs Costs

Clerk 4.78
Tax 1.50
Shff 1.00
G. A. L. 5.00
Co. Clerk 5.00
\$12.78

W. R. Colwell Recr

W. R. Colwell Recr in Chancery

W. R. Colwell Recr

1897 2nd May rules Spay
Exd. G. A. L. filed
G. A. L.

" 1st June rules Take the
last Monday in May
D. R. Confd + Cause set
for hearing.

1897 June term Decree
continued

" Nov. Term Decree
final Dec. O. B. 6
Page 44

Decree final Nov.
Term 1897, Order
Book No 6 Page 439
44.

To The Honorable W. J. Miller Judge
of the Circuit Court for Bell
County Virginia:

The joint demurrers and answers
of W. G. Calson and C. M. Calson
wife of W. G. Calson to a bill of Com-
plaint filed in said Court by
W. C. Cabell, receiver of the People's Bank
a Corporation organized and existing
under the laws of the state of
Kentucky against them and
others.

Respondents say that said bill of
Complaint is not sufficient
in law, and they pray judgment
of this their demurrer thereto, but
not waiving said demurrer, should
further answer be required of
them, answering in they say:

That it is true that the Complainant
at the November Term 1896, of said
Court, obtained judgment against
W. G. Calson for the sum of \$358¹⁰/₁₀₀
with interest on \$350⁰⁰ part thereof
from October 22nd 1892, and ^{and \$11²⁵/₁₀₀ Costs} ~~and \$11²⁵/₁₀₀ Costs~~ ^{and \$11²⁵/₁₀₀ Costs} ~~and \$11²⁵/₁₀₀ Costs~~
that "Exhibit 1" is correct, and also
Exhibit no. 2 is supposed to be
correct.

Respondents further say that the
said judgment was obtained upon
a judgment previously rendered
for the Circuit Court for Bell

County Kentucky, and they suppose
Exhibits nos. 3 & 4 are correct, filed
with said bill.

Respondent W. G. Colson denies
that he is possessed or entitled to the
two tracts of land in Lee County
Virginia, mentioned by complainant
in his bill, the one alleged to
contain 480 acres, and the other
70 acres, located in Lee County on
the waters of Station Creek; and he
denies that he is the owner of said
two tracts of land, and he says
that the deed from D. H. Young
& wife to him and his children
shows upon its face the
conveyance of said land and
the interests of each therein
and he says it is true that J. M. Wheeler
did pay into said Young land
\$4000⁰⁰, but respondent afterwards
accounted to said Wheeler for
said sum so advanced by him,
and that this question has been
fully adjudicated in a suit
recently decided in said Court,
~~between~~ James M. Wheeler vs. C. R.
Kutcheon et al, and it is denied
that same was intended to be a
gift or advancement to his daughter.
Respondent W. G. Colson says
he supposes Exhibit No 5, alleged

1 Due a copy of said Young deed is
2 Correct, and respondents deny
3 that his interest in said lands
4 is an absolute interest to the
5 extent of $\frac{5}{9}$, and a life estate
6 in the remainder, and as a
7 Respondents both deny that
8 by deed dated September 13th 1892
9 the said ^{W. S. Carlson} conveyed to his present wife
10 C. M. Carlson, all of the real
11 estate owned by him, in & alias,
12 in the County of Lee, and they
13 further deny that said deed
14 was made to his said wife without
15 consideration deemed valuable
16 in law, and they deny that
17 it was ^{and is} fraudulent and void
18 as to complainant, and they
19 deny the right of the complainant's
20 ~~right~~ in law to subject said
21 lands in any way to the pay-
22 ment of complainant's judgment,
23 herein sought to be enforced.
24 Respondents further say that
25 it is true as stated by complainant
26 that all the judgments against
27 W. S. Carlson in favor of J. M. Wheeler,
28 or in favor of Wheeler and Kesterson
29 & others, mentioned said bill have
30 been fully paid.
31 And now respondents deny each
32 and every allegation of said bill

not hereinbefore admitted or denied,
and having answered as fully
as they are advised it is matter
for them to answer they pray
to be hence dismissed with
their reasonable cost in the
behalf expended, and they
will ever pray etc.

B. H. Summell
Atty for Respondents

W. S. Leonard wife

Advs. {
J. M. Leonard
J. M. Leonard

W. E. Leonard

Virginia,

In the Circuit Court of Lee County.

To the Hon. W. A. Miller, Judge of said Court:-

-----The separate demurrer and answer of James M. Colson, Nora Colson, Verda Colson, and Lela Colson, infants, by William A. Orr, Sr., their Guardian Ad Litem, to a bill in Chancery filed in this Court by W. E. Cabell, Receiver, etc., against these wards and others.

-----For demurrer respondent says, that complainant's bill is not sufficient in law. But if any further answer is necessary respondent says, that he does not admit that complainant is receiver of the Peoples' Bank and of this he asks the Court to require proof; that he denies that said bank at the time of the institution of this suit, or at any other time, was a corporation pursuant to the laws of the State of Kentucky, and of this he asks strict proof; that if said bank ever was incorporated pursuant to the laws of said State, that it has long since forfeited its charter; that he also calls for strict proof of every other allegation in complainant's bill.

-----Further answering respondent prays that the actual interests of his wards in the land described in complainant's bill be ascertained by a Commissioner, and that partition of said land be then decreed as between them and their father, W. G. ~~Colson~~ Colson, or his assignee. Having fully answered your respondent prays to be hence dismissed with a proper decree for \$25.00 for his services in this case.

Wm A. Orr, Sr.

Guardian ad litem

Sworn to before me, this May 3rd, 1897.

A. B. Mursey, Secy

By J. W. Richmond, D.C.

This answer is excepted to by the plaintiff
 as to the denial of plaintiff's qualification as executor
 as to the denial of said qualification in this point.
 (2) is to the denial of the incorporation of the plaintiff's
 Bank for the same reasons and also because
 in general because no relief is sought
 by the plaintiff against them in fact,
 but merely an ascertainment of their
 interest in the subject matter. Decree
 for (Conty).

There is no right to recover the subject matter
 as no right to use the land for a portion of
 said land or the appointment of the
 subject matter.

W. E. Cabell, Receiver

Ans. of L. A. L.

W. E. Cabell, Receiver

Filed Jan 17th 1897

at the Court House

per some report
 and the same

W. E. Cabell, Receiver &c

vs.

W. G. Colson et als.

~~This~~ On motion of W. G. Colson and C. M. Colson leave is granted them to file their joint demurrer and ~~and~~ answer, and the same was accordingly filed, ~~thereupon~~ ~~this cause came on this day to be~~ in which demurrer the plaintiff joined and to which answer said plaintiff replied generally. Thereupon this cause came on to be heard upon the bill of the plaintiff and exhibits No "1", "2", "3", "4", "5", "6", "7", "8", "9" and "10" therewith, ~~the answer~~ process duly executed on all the adult defendants, the cause properly matured at rules and set for hearing, the answer of Nora, James, Lelia, and Verdie Colson, infants defendants by W. A. Lee, Jr. their guardian ad litem, exceptions to said answer, the ~~de~~ joint demurrer and answer of W. G. Colson and C. M. Colson

joinder in said demurrer and
general replication to said
answer by the Plaintiff, and
was argued by counsel. On
consideration of all which,
the Court is of opinion that
the exceptions to the answer of
said infants are well taken,
and that said demurrer to said
bill is not well taken. It is
therefore adjudged, ordered
and decreed that said exceptions
be sustained; that said de-
murrer be overruled; that
said bill be taken for confessed
as to J. M. Wheeler and C. R. Kes-
terson, it appearing that they
have been duly summoned
and have each failed to ap-
pear, plead, answer or demur,
to said bill; and that this
cause be ~~stricken from the~~
~~do~~ continued.

W. E. Cabell, Re -
ceiver &c.

vs $\frac{3}{2}$ Decree

W. G. Nelson et al.

Eu. C. O. B. No 6 p. 20-1

Enter this decree

June 1st 1871.

J. F. Will

Virginia

At a Court Court continued and held for Lee County at the Court-house thereof on Wednesday November 11th 1896.

W. E. Cabbell, Receiver Plff }
vs } In Debt
W. G. Colson. Deft }

This day came again the parties by their attorneys, and the Court having maturely considered the motion made by the defendant at the last term of the Court, to set aside the verdict of the jury in this cause and grant him a new trial, doth overrule said motion; It is therefore considered by the Court that the plaintiff recover against the defendant the sum of (\$358.10) Three hundred and fifty eight Dollars & ten Cents with legal interest on \$350.00 apart thereof from the 22nd day of October 1892, until paid and the Costs of this Suit.

A Copy

Teste A. B. Munsey Clerk

W.E. Cabell, Pierre

v₂ ~~3~~ Chief
W.G. Carlson et al

Copy Judgt.

"Exhibit 1."

C 25th

The Commonwealth of Virginia:

To the Sheriff of the County of Lee, Greeting:

We command you, That of the goods and chattels of W. G. Colson in your bailiwick, you cause to be made \$358.10 Three hundred & fifty-eight dollars and ten cents with interest at the rate of six per centum per annum on \$350⁰⁰ Three hundred and fifty dollars, a part thereof from the 22nd day of October 1892 until paid, which W. E. Cabell, receiver late in our Circuit Court of the County of Lee, has recovered against the said W. G. Colson, as well for a debt as interest thereon; also \$11.70 Eleven dollars and seventy cents, which to the said W. E. Cabell, receiver in the same court were adjudged for his costs by him about his suit in that behalf expended, whereof the said W. G. Colson is convict as appears to us of record. And how you shall execute this writ make known at the rules to be holden in the Clerk's office of our said Circuit Court, on the 3^d Monday in January next. And have

then there this writ.

Witness, A.B. Munsey, Clerk of
our said court, at the court-
house, the 17th day of November
1896, and in the 12th year of
the Commonwealth.

A.B. Munsey, Clerk.
Endorsed on Back

E. B. No. 5. p. 64.
W.E. Cabell, receiver
vs { Fi. fa. In Debt.
W. G. Colson.
Duncan & Hyatt, p. 7.

Came to hand Nov 30th 1896,
at 10 o'clock A.M.

W.P. Weston, S. L. C.

So 2nd January Rules 1897.
Circuit Court.

Judgt. Nov. 11th 1896.
O.B. No. 4. p. 431.
Return

Return

Not executed - no property
found. Jan 15/97.

N.S. Jennings, D.S.
for Wm P. Weston.

A copy. Leste:
A. D. Manning. Clerk

W. E. Cabel, Recr.

23 $\frac{3}{2}$ Sep.

W. G. Colson

Copy of Fi. fa. &
return of Sheriff.

Exhibit No. 2

M. C. 28th

Virginia,

Circuit Court for Bee County,
Second April Rules 1895.

W. E. Cabell, Receiver of the
Peoples Bank, a corporation heretofore existing under the laws of Kentucky, plaintiff, complains of W. G. Bolson, defendant, of a plea that he render unto the said plaintiff the sum of three hundred and fifty-eight dollars and ten cents, with interest on three hundred and fifty dollars, part thereof, from the 22nd day of October 1892, until paid, \$8.10, the residue being for costs, which to him the said defendant owes and from him unjustly detains. For this, to wit: That heretofore, to wit; on the 29th day of July, in the year 1893, in the Circuit Court for Bee County, State of Kentucky, the said plaintiff, by the consideration and judgment of said court, recovered against the said defendant, the sum of three hundred and fifty dollars, with interest from the 22nd day of October 1892 until paid.

and his costs which amounted, as taxed by the clerk, to the sum of eight dollars and ten cents, making the said sum of Three hundred and fifty eight dollars and ten cents above demanded, which in and by the said court were adjudged to the said Plaintiff for his damages which he had sustained, as well by reason of the non-performance by the said defendant of certain promises and undertakings then lately made by the said defendant to the said Plaintiff, as for his costs and charges by him about his suit in that behalf expended, whereof the said defendant was convicted, as by the record and proceedings thereof remaining in the said Court more fully appears: which said judgment still remains in full force and effect, not reversed, satisfied, or otherwise vacated: (Whereby an action hath accrued to the said Plaintiff, to demand and have of and from the said de-

defendant, the said sum of Three hundred and eight dollars and ten cents, with interest on three hundred and fifty dollars, part thereof from the 22nd day of October 1892 until paid, above demanded.

Yet the said defendant, although often requested, hath not as yet paid to the said plaintiff the said sum of three hundred and fifty-eight dollars and ten cents with interest as aforesaid, above demanded, or any part thereof, but the same to day hath hitherto wholly failed and refused, and still doth fail and refuse, to the damage of the said plaintiff of \$400⁰⁰. And, therefore, he brings his suite.

Duncan & Hyatt
P. R.

A copy, Teste:

J. B. Murray clerk.

W. E. Cabell
Receiver &c

v3 3 Chy.

W. Gleason
et als.

~~~~~  
copy of Decu.  
~~~~~

"Exhibit No. 3"
M. Clark 28th

BELL COURT OF COMMON PLEAS.

W. E. Cabell, Receiver of
The Peoples Bank,

-vs-)
 =
)

W. G. Colson.

The plaintiff W. E. Cabell, Receiver of the People's Bank, says
that on the 19th day of October, 1892, he was in the suit of the First
National Bank &c., -vs- The Peoples Bank &c., appointed Receiver of the
People's Bank by an order of the Judge of the Bell Court of Common Pleas,
made in said case, in which order he was directed to collect all the
assets belonging to the People's Bank and to bring and defend suits in
his own name as such Receiver in regard to the property and choses in
action of said Bank. That he accepted the trust as such Receiver, execu-
ted Bond as approved by said Judge and was duly sworn as required by law
as such Receiver, and is now so acting. That the said People's Bank is a
corporation duly incorporated by an Act and an Amended Act of the General
Assembly of the Commonwealth of Kentucky with power to do a general
Banking Business. That was also authorized to receive subscriptions
to its capital stock upon which subscriptions by the terms of its said
charter the subscribers became responsible to said bank and to the
creditors of said Bank for the amounts severally subscribed by them until
the payment in full thereof by such subscribers. That the defendant W. G.
Colson did on the day of , 1890, subscribe \$500.00
to the capital stock of said Bank. That of said subscription made by him
he has paid the sum of \$150. and that the sum of \$350, of said subscrip-
tion still remains due, owing and unpaid. That in order to pay the debts
of said bank and to satisfy its creditors it is necessary that all the
capital subscribed to said bank including that subscribed by said W. G.
Colson and not paid by him should be collected and paid into said bank
and that the affairs of said Bank and indebtedness and obligations of
said Bank for the past twelve months have required that said stock should

be paid in during said time, and that the same has not been paid. He says that he has made demand upon said Colson for the payment of said \$350. which demand was made by him on or about the 22nd day of October, 1892, and on dvers occasions since.

WHEREFORE he prays judgment against said defendant for the sum of \$350, with interest from the 22nd day of October, 1892, until paid and for his costs and all proper relief.

W. L. Baker,

Attorney for Plaintiff.

Endorsed: Filed Dec. 7th, 1892 - Summons & copy to Bell Co.

J. R. Rice Clerk,

By R. B. Rice D. C.

Following is copy of summons:

THE COMMONWEALTH OF KENTUCKY

To the Sheriff of Bell County Greeting:

You are commanded to summon W. G. Colson to answer on the first day of the next July Term of the Bell Circuit Court, a petition filed against him in said Court by W. E. Cabell, Receiver and warn him that upon his failing to answer, the petition will be taken for confessed, or will be proceeded against for contempt, and you will make due return of this summons on the first day of the next July Term of said Court.

Witness J. F. Neal, Clerk of said Court this 20th day of January, 1893.

J. F. Neal Clerk,

By W. M. Blakely D. C.

=====

Return: Executed the within summons on W. G. Colson by handing him a true copy of the same on the 20th day of January 1893.

J. C. Colson Sheriff B. C.

=====

B E L L C I R C U I T C O U R T.
Jany. Term 15th, day, 18th, day of January 1893.

W. E. CABELL, Receiver,

- v s -

W. G. COLSON,

Continued for process.

=====

B E L L C I R C U I T C O U R T.
July Term 23" day, 29th, day of July, 1893.

W. E. CABELL, Receiver,

Plaintiff

- v s - J U D G M E N T .

W. G. COLSON,

Defendant.

The defendant W. G. Colson having been duly summoned and failing to answer, it is adjudged by the Court that the allegations of the petition be taken for true and that the plaintiff, W. E. Cabell, Receiver of the ~~Peoples~~ Bank recover of the defendant the sum of Three Hundred and Fifty Dollars (\$350.00) with interest from 22nd, day of October 1892 until paid and his costs in this action expended and the same is stricken from the docket.

=====

Following is taxed cost recovered by plaintiff:

Jany. Term 1893.	Docketing 10c, steps 10c, continuance 30c,	.50
July " "	" 10c, " 10c, ent. app. Plff. 15c,	.65
	Judgment 30c, recording 50c, entering on	
	Judgt. Book 30c,	1.10
	Taxing cost 30c, copy 20c,	
	filing papers 30c,	.80
	Sheriff serving summon	.60
	Tax on petition 50c, tax atty. fee \$2.50	3.00
	Issuing fifa 60c, recording same 50c,	1.10
	T o t a l - - - - -	\$8.10


=====

STATE OF KENTUCKY,

County of Bell, Sct.,

I, JAMES F. NEAL, Clerk of the Circuit Court for the County and State aforesaid, do hereby certify that the foregoing is a true and complete record in the case of W. E. Cabell Receiver of Peoples Bank of Middlesborough, Plaintiff, vs. W. G. Colson, defendant, as the same appears of record and on file in my office.

WITNESS my hand and seal of office this 3rd, day of July 1895.


J. F. Neal
Clerk Bell Circuit Court.

STATE OF KENTUCKY,

County of Bell, Sct.,

I, WILLIAM F. HALL, Judge of the Circuit Court in and for the County of Bell and State of Kentucky, do certify that JAMES F. NEAL, who has given the foregoing certificate is Clerk of the Circuit Court of Bell County in the State of Kentucky, and that his attestation is in due form.

Given under my hand this 3rd, day of July 1895.

W. F. Hall
Judge Bell Circuit Court.

*State of Kentucky
County of Bell, Sct.*

*I, James F. Neal, Clerk
of the Circuit Court within and for the*

State & County aforesaid do certify that the
Haw W. F. Hall, whose signature is affixed
to the foregoing Certificate was on the 3^d day of
July 1895 and has been since the 1st day of
January 1893 & is now the duly elected and
acting Judge of the Bell Circuit Court.

Witness my hand & official seal of
office affixed at my office in Princeton
Bell County Kentucky this 23^d day of April 1897

J. H. Neal Clerk
Bell Circuit Court

seal & certificate
\$1.00

W. E. CALELL, Receiver of
The Peoples Bank of
Middletown.

- - - COPY OF RECORD.

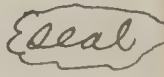
W. G. COLSON.

==

"Exhibit No. 4."

This Deed, between W. G. Colson, of Pineville, Kentucky, of the first part, and M. C. Colson of the second part, Witnesseth that the said party of the first part, in consideration of one dollar and other valuable consideration the receipt of which is hereby acknowledged, do hereby sell, grant, and convey to the party of the second part, her heirs and assigns, The following described property, viz: All the land owned by W. G. Colson in Bell County, Ky. & in Lee County, Virginia, & in Johnson City, Tennessee, for more particular description of which reference is hereby made to all deeds, patents, grants & other instruments of writing as evidence of title to said W. G. Colson. Do have and to hold the same, with all the appurtenances thereon, to the second party her heirs, assigns forever, with covenant of "General Warranty".

In testimony whereof, witness my signatures, hand seal. This 13th day of September 1872

W. G. Colson 

State of Kentucky } set.
County of Bell }

I, James S. Bingham, Clerk of the County Court of the County aforesaid, do certify that on this day the foregoing Deed was produced to me in the County aforesaid and acknowledged and delivered by W. G. Colson to C. M. Colson to be his act and deed. Witness my hand, this 13th day of September 1892.

J. S. Bingham, Clerk. c.c.

State of Kentucky }
County of Bell } set.

I, James S. Bingham, Clerk of the County Court of the County aforesaid, do certify that on this day This Deed from W. G. Colson to C. M. Colson was received and lodged in my office for record, that I have truly recorded it, together with this and the certificate thereon endorsed, in my said office. Witness my hand, this 2nd

day of July 1894

James S. Bingham, C. B. C. C.
By E. Ingram Deputy Clerk

Virginia, Lee County, to wit:

In the office of the Clerk of said
County the 17th day of October 1894
This deed was presented and to-
gether with the certificate thereto
annexed admitted to record.

Witness: S. V. F. Richmond, clerk

Virginia, Lee County, to wit:

I, S. V. F. Richmond, clerk of the
County Court for the County of Lee
in the State aforesaid, do certify
that the foregoing is a true trans-
cript from the records in my
office. Given under my hand this
the - day of January 1897.

S. V. F. Richmond

W. E. Cabell, Recrre

vs $\frac{3}{2}$ Copy of deed

W. G. Colson et als.

W. G. Colson

Lo $\frac{3}{2}$ Copy deed.

L. M. Colson

V.B. 31 p. 10

Clark for copy 10/1

"Exhibit No. 6."

			Judgment		Debit Docket.
Date of Judgment	By what Court	Time of Hearing	Name and Description of Parties	Debt, Damages, interest and Costs	Amount & Date of Receipt
1893 Nov 18	Lee Cir Court	1893 Dec 12	J. M. Wheeler Ref- vs W. G. Colson deft- } debt	Judgment for \$7.16 costs c & p 3.66 \$ 50 JP 25- atty 2.50 Co c 25	

A Copy

Liste: D. V. F. Richmond

Judgment			Lien Docket	
Date of Judgment	By what Court	Time of Docketing	Names and Description of Parties	Debt, Damages, interest and Costs
1895 Nov	Dec Circuit Court	1895 Dec 2 nd	Hester son & Wheeler vs W. G. Leason Deft.	Judgment for \$189.75 with interest on \$18.75 part thereof from 1 st day of May 1891, and on \$171.00 with legal interest at the rate of six per centum per Annum from the 26 th day of October 1891 until paid & costs \$ 3.71 Tax 1.00 \$ 50 atty \$.50 C & C 25.
A copy - Teste: D. T. F. Richmond Leason				Amount and Date of Credits.

W.E. Leakey Recs

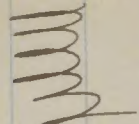
vs. 3 Chy.

W. Gleason et al

"Exhibit No. 9"

Judgment				Lien Docket	
Date of Judgment	By what Court	Time of Docketing	Names and description of Parties	Debt, Damages, interest and costs	Amount and Date of Credit
1896 June 7.	Leve Circuit Court	1896 June 13 th	C. R. Kesterson and J. M. Wheeler Peffs VS W. H. Leelson deft.	Judgment for \$53.00 with legal interest thereon from the 31 st day of Decr 1893, with paid and costs c 5.40 Tax 1.00 \$1.50 2.50 Co c 2.00 A Copy Filed, J. V. H. Richmond Aug 2	

W. E. Coburn

Dr.  Chy.

W. E. Coburn et al.

¹¹
Exhibit No. 19"

The Commonwealth of Virginia,

To the Sheriff of the County of Lee Greeting:

We command you to summon *W. B. Bolson, L. M. Bolson, his wife James M. Bolson, Nora Bolson, Verda Bolson, and Lela Bolson, the last four named being infant children of the said W. B. Bolson, J. M. Wheeler and L. R. Kesterson* to appear at the Clerk's office of our Circuit Court of the County of Lee at the court-house thereof, at the Rules to be holden for said court, on the *3rd* Monday in *May*, 189*7*, to answer a bill in Chancery, exhibited against *them* in our court by *W. E. Labbell receiver of the People's Bank, a corporation organized and existing under the laws of the State of Kentucky.*

And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said court, at the court-house, the *22nd* day of

April 189*7*, and in the 12/*st* year of the Commonwealth.

A copy—Teste:

A. B. Munsey Clerk.

Clerk,

W. E. Loabell receiver

vs. { SUBPENA
IN CHANCERY.

W. G. Tolson et al

Duncan, Irvine & Hyatt P. Q.

TO 2nd May Rules.

CIRCUIT COURT.

Executed by delivering
an office copy of the
within Subpoena to
W. G. Tolson on the 1st
day of May 1897, further
executed by delivering
an office copy of this
Summons to W. G. Tolson for
C. M. Tolson, the said
C. M. being absent from
her usual place of abode
and the said W. G. being
a member of her family
over the age of 16

years and I explained to said W. G. Tolson the
purport of said summons.

N. D. Gering D.S. for

W. P. Weston, J. L. C.